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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C., 20231 on October 22, 2001

By: Thomas M. Galgano Date: October 22, 2001

PATENT  
DOCKET 1182-40

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : JOHN MONTEITH and BARRY JAMES  
Serial No. : 09/889,478  
Filed : July 16, 2001  
For : SMART CARD AND READER/WRITER

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
OF APPLICATION WITH SUBSTITUTE DECLARATION**

Hon. Commissioner of Patents  
& Trademarks  
Washington, D.C. 20231

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C.

371, please substitute the enclosed duly executed declaration for the unsigned declaration on file in the above application.


Also enclosed is an Assignment duly executed by the inventors for recordal along with a Recordation Form Cover Sheet.

A check in the amount of \$105 is enclosed to cover the official surcharge for a small entity for the late filing of the Declaration (\$65.00) and recordal of Assignment (\$40.00). The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application, without specific authorization, or credit any overpayment, except for the Base Issue Fee, or credit any overpayment to Deposit Account No. 07-0130.

Respectfully submitted,

JOHN MONTEITH, ET AL.

Date: October 22, 2001



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Thomas M. Galgano  
Registration No. 27,638  
GALGANO & BURKE  
Attorney for Applicant  
300 Rabro Drive, Suite 135  
Hauppauge, NY 11788  
Tel: (631) 582-6161  
Fax: (631) 582-6191

Enclosures:

Executed Declaration, Copy of Notification of Missing Requirements,  
Executed Assignment, Recordation Form Cover Sheet and Check for \$105.00

<input type="checkbox"/> <small>Consultation For Priority, See PCT, United States Patent and Trademark Office, Washington, D.C. 20531, www.uspto.gov</small>		
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.

09/889,478

John Monteith

1182-40

INTERNATIONAL APPLICATION NO.

PCT/GB00/00109

I.A. FILING DATE

PRIORITY DATE

01/17/2000

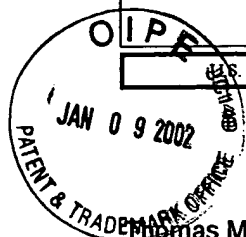
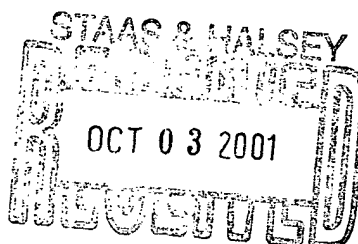
01/16/1999

CONFIRMATION NO. 4065

371 FORMALITIES LETTER



\*OC000000006793446\*



Thomas M Galgano  
Galgano & Burke  
300 Rabro Drive  
Suite 135  
Hauppauge, NY 11788

Date Mailed: 09/28/2001

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY**

**DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

VONDA M WALLACE

Telephone: (703) 305-3736

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/889,478	PCT/GB00/00109	1182-40